

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
SOUTHEASTERN DIVISION**

MARTIN AKEEM DANIEL,)
)
Plaintiff,)
)
v.) No. 1:07-CV-1 CAS
)
UNKNOWN CALLET, et al.,)
)
Defendants.)

ORDER

This matter is before the Court for examination pursuant to Rule 4(m), Federal Rules of Civil Procedure.

Plaintiff filed this action on January 3, 2007. By Memorandum and Order dated January 22, 2007, plaintiff was directed to submit an amended complaint. On May 30, 2007, plaintiff was granted leave to file his amended complaint, which named as defendants, among others, Unknown Callet, Unknown Jaynes, and Unknown Blankenship. A review of the Court file shows that these defendants have not been served in this matter nor has service been waived on their behalf. Under Rule 4(m), Federal Rules of Civil Procedure, the Court, after notice to the plaintiff, is directed to dismiss an action against a defendant upon whom service has not been made within 120 days after the filing of the complaint.

The Rule 4(m) period for service expires **September 27, 2007**, 120 days after the filing of plaintiff's amended complaint. The Clerk of the Court will be directed to send plaintiff summons and Marshal's forms. Plaintiff shall fully complete these forms, providing the proper names and addresses for service of process on these defendants, and return the forms to the Clerk by **September 20, 2007**.

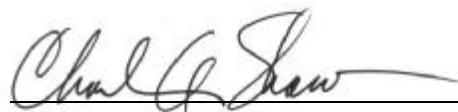
Accordingly,

IT IS HEREBY ORDERED that plaintiff shall cause service to be effected upon defendants Unknown Callet, Unknown Jaynes, and Unknown Blankenship not later than **September 27, 2007**. In the absence of good cause shown, failure to timely serve said defendants shall result in the dismissal of plaintiff's claims as to said defendants without prejudice.

IT IS FURTHER ORDERED that the Clerk of the Court shall send plaintiff summons and Marshal's forms together with this order.

IT IS FURTHER ORDERED that plaintiff shall provide the Clerk of the Court with completed summons and Marshal's forms showing the proper names and addresses for service of process upon defendants Unknown Callet, Unknown Jaynes, and Unknown Blankenship by **September 20, 2007**.

Failure to comply fully and timely with this order will result in dismissal without prejudice of the claims against defendants Unknown Callet, Unknown Jaynes, and Unknown Blankenship pursuant to Fed. R. Civ. P. 4(m).



CHARLES A. SHAW
UNITED STATES DISTRICT JUDGE

Dated this 4th day of September, 2007.